

## **Title 1**

### **GENERAL PROVISIONS**

#### **Chapters:**

- 1.01 Code Adoption**
- 1.04 General Provisions**
- 1.08 Civil Districts**
- 1.12 Elections**
- 1.16 Metropolitan Jail and Workhouse**
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## Chapter 1.01

### CODE ADOPTION\*

#### Sections:

- 1.01.010 Code adopted by reference—Scope—Contents.**
- 1.01.020 Copies of code on file.**
- 1.01.030 General penalty for code violations—Continuing offenses—Schedule.**
- 1.01.040 Severability.**
- 1.01.050 Supplemental and replacement pages.**

\* **Editor's Note:** Sections 2 through 7 of Ordinance 91-1680 are not codified.

#### **1.01.010 Code adopted by reference—Scope—Contents.**

There is readopted by the metropolitan county council that certain code entitled "The Code of The Metropolitan Government of Nashville and Davidson County, Tennessee," prepared by Matthew Bender & Company, Inc., containing certain ordinances of a general and permanent nature enacted on or before December 2, 2003, as compiled, consolidated, codified, and indexed in Titles 1 to 17, including those supplemental and replacement pages having in the lower right-hand or left-hand corner thereof the notation (Nashville 1-04). (Ord. BL2004-420 § 1, 2004: Ord. BL2004-356 § 1, 2004: Ord. BL2004-230 § 1, 2004: Ord. BL2004-182 § 1, 2004: Ord. BL2003-40 § 1, 2003: Ord. BL2003-32 § 1, 2003: Ord. BL2003-1406 § 1, 2003: Ord. BL2003-1338 § 1, 2003: Ord. BL2003-1302 § 1, 2003: Ord. BL2002-1130 § 1, 2002: Ord. BL2002-1072 § 1, 2002: Ord. BL2002-1025 § 1, 2002: Ord. BL2002-948 § 1, 2002: Ord. BL2001-771 § 1, 2001: Ord. BL2001-693 § 1, 2001: Ord. BL2001-575 § 1, 2001: Ord. BL2000-512 § 1, 2000: Ord. BL2000-329 § 1, 2000: Ord. BL2000-275 § 1, 2000: Ord. 97-1009 § 1, 1997: Ord. 97-794 § 1, 1997: Ord. 96-528 § 1, 1996: Ord. 96-346 § 1, 1996: Ord. 95-103 § 1, 1995: Ord. 95-1435 § 1, 1995: § 2 of Amdt. 1 to Ord. 95-1353, 3/21/95; Ord. 95-1353 § 1, 1995: Ord. 94-1260 § 1, 1995: Ord. 93-577 § 1, 1993: Ord. 91-116 § 1, 1992: Amdt. 3 to Ord. 91-1680, 8/20/91; Ord. 91-1680 § 1, 1991)

#### **1.01.020 Copies of code on file.**

At least two copies of the code readopted containing the supplemental and replacement pages properly inserted therein shall be kept on file in the office of the metropolitan clerk and be kept there available for public inspection

and use. In addition, at least two complete sets of the supplemental and replacement pages described in Section 1.01.010 of this chapter shall be stapled or permanently fastened together and kept on file in the office of the metropolitan clerk and be kept there available for public inspection and use. (Ord. BL2004-420 § 2, 2004: Ord. BL2004-356 § 2, 2004: Ord. BL2004-230 § 2, 2004: Ord. BL2004-182 § 2, 2004: Ord. BL2003-40 § 2, 2003: Ord. BL2003-32 § 2, 2003: Ord. BL2003-1406 § 2, 2003: Ord. BL2003-1338 § 2, 2003: Ord. BL2003-1302 § 2, 2003: Ord. BL2002-1130 § 2, 2002: Ord. BL2002-1072 § 2, 2002: Ord. BL2002-1025 § 2, 2002: Ord. BL2002-948 § 2, 2002: Ord. BL2001-771 § 2, 2001: Ord. BL2001-693 § 2, 2001: Ord. BL2001-575 § 2, 2001: Ord. BL2000-512 § 2, 2000: Ord. BL2000-329 § 2, 2000: Ord. BL2000-275 § 2, 2000: Ord. 97-1009 § 2, 1997: Ord. 97-794 § 2, 1997: Ord. 96-528 § 2, 1996: Ord. 96-346 § 2, 1996: Ord. 95-103 § 2, 1995: Ord. 95-1435 § 2, 1995: Ord. 95-1353 § 2, 1995: Ord. 94-1260 § 2, 1995: Ord. 93-577 § 2, 1993: Ord. 91-116 § 2, 1992)

#### **1.01.030 General penalty for code violations—Continuing offenses—Schedule.**

A. Wherever in the code readopted by this ordinance codified in this chapter, or in any other ordinance or resolution of the metropolitan government or in any rule, regulation or order promulgated by any officer or agency of the metropolitan government under authority duly vested in him or her or if any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided therefor, the violation of any such provision of such code or any other ordinance or resolution of the metropolitan government or such rule, regulation or order shall be punished by a penalty not to exceed fifty dollars (\$50.00).

B. Except where otherwise provided, every day any violation of such code or any other ordinance or resolution of the metropolitan government or such rule, regulation or order shall continue shall constitute a separate offense. (Ord. BL2004-420 § 3, 2004: Ord. BL2004-356 § 3, 2004: Ord. BL2004-230 § 3, 2004: Ord. BL2004-182 § 3, 2004: Ord. BL2003-40 § 3, 2003: Ord. BL2003-32 § 3, 2003: Ord. BL2003-1406 § 3, 2003: Ord. BL2003-1338 § 3, 2003: Ord. BL2003-1302 § 3, 2003: Ord. BL2002-1130 § 3, 2002: Ord. BL2002-1072 § 3, 2002: Ord. BL2002-1025 § 3, 2002: Ord. BL2002-948 § 3, 2002: Ord. BL2001-771 § 3, 2001: Ord. BL2001-693 § 3, 2001: Ord. BL2001-575 § 3, 2001: Ord. BL2000-512 § 3, 2000: Ord. BL2000-329 § 3, 2000: Ord. BL2000-275 § 3, 2000: Ord. 99-1776 § 3, 1999: Ord. 98-1497 § 2, 3, 1999: Ord. 98-1447 § 1, 1999: Ord. 97-729 § 1, 1997: Ord. 97-1009 § 3, 1997: Ord. 97-794 § 3, 1997: Ord. 96-528 § 3, 1996: Ord. 96-346 § 3,

1996: Ord. 95-103 § 3, 1995; § 3 of Amdt. 1 to Ord. 95-1329, 2/21/95; Ord. 95-1329 § 1, 1995)

#### **1.01.040 Severability.**

It is declared to be the intention of the metropolitan county council that the sections, paragraphs, sentences, clauses, phrases and words of the ordinance codified in this chapter and the code adopted in this chapter are severable, and if any section, paragraph, sentence, clause, phrase or word of such ordinance or of such code shall be declared unconstitutional or otherwise invalid by any valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases and words of the ordinance codified in this chapter, or of this code, since the same would have been enacted by the metropolitan county council without the incorporation in the code of any such unconstitutional or invalid section, paragraph, sentence, clause, phrase or word. (Ord. BL2004-420 § 4, 2004: Ord. BL2004-356 § 4, 2004: Ord. BL2004-230 § 4, 2004: Ord. BL2004-182 § 4, 2004: Ord. BL2003-40 § 4, 2003: BL2003-32 § 4, 2003: Ord. BL2003-1406 § 4, 2003: Ord. BL2003-1338 § 4, 2003: Ord. BL2003-1302 § 4, 2003: Ord. BL2002-1130 § 4, 2002: Ord. BL2002-1072 § 4, 2002: Ord. BL2002-1025 § 4, 2002: Ord. BL2002-948 § 4, 2002: Ord. BL2001-771 § 4, 2001: Ord. BL2001-693 § 4, 2001: Ord. BL2001-575 § 4, 2001: Ord. BL2000-512 § 4, 2000: Ord. BL2000-329 § 4, 2000: Ord. BL2000-275 § 4, 2000: Ord. 97-1009 § 4, 1997: Ord. 97-794 § 4, 1997: Ord. 96-528 § 4, 1996: Ord. 96-346 § 4, 1996: Ord. 95-103 § 4, 1995: Ord. 95-1435 § 4, 1995: Ord. 95-1353 § 4, 1995: Ord. 94-1260 § 4, 1995: Ord. 93-577 § 4, 1993: Ord. 91-116 § 4, 1992)

#### **1.01.050 Supplemental and replacement pages.**

The supplemental and replacement pages to the code of the metropolitan government described in Section 1.01.010 and approved in this chapter shall be distributed upon request to the various departments of the metropolitan government free of charge. Any other persons or organization desiring a copy thereof may obtain the same from Matthew Bender & Company, Inc. in accordance with the contract between codifier and the metropolitan government. The metropolitan clerk shall notify all Davidson County judges of the Metropolitan General Sessions, Circuit, Chancery and Criminal Courts that the supplemental and replacement pages to the code of the metropolitan government which are described in Section 1.01.010 are available. (Ord. BL2004-420 § 5, 2004: Ord. BL2004-356 § 5, 2004: Ord. BL2004-230 § 5, 2004: Ord. BL2004-182 § 5, 2004: Ord. BL2003-40 § 5, 2003: BL2003-32 § 5, 2003: Ord. BL2003-1406 § 5, 2003: Ord. BL2003-1338

§ 5, 2003: Ord. BL2003-1302 § 5, 2003: Ord. BL2002-1130 § 5, 2002: Ord. BL2002-1072 § 5, 2002: Ord. BL2002-1025 § 5, 2002: Ord. BL2002-948 § 5, 2002: Ord. BL2001-771 § 5, 2001: Ord. BL2001-693 § 5, 2001: Ord. BL2001-575 § 5, 2001: Ord. BL2000-512 § 5, 2000: Ord. BL2000-329 § 5, 2000: Ord. BL2000-275 § 5, 2000: Ord. 97-1009 § 5, 1997: Ord. 97-794 § 5, 1997: Ord. 96-528 § 5, 1996: Ord. 96-346 § 5, 1996: Ord. 95-103 § 5, 1995: Ord. 95-1435 § 5, 1995: Ord. 95-1353 § 5, 1995: Ord. 94-1260 § 5, 1995: Ord. 93-577 § 5, 1993: Ord. 91-116 § 5, 1992)

## **Chapter 1.04**

### **GENERAL PROVISIONS**

#### **Sections:**

<b>1.04.010</b>	<b>Name of code for citation—Contents.</b>
<b>1.04.020</b>	<b>Definitions and rules of construction.</b>
<b>1.04.030</b>	<b>Provisions considered continuations of existing ordinances and earlier codes.</b>
<b>1.04.040</b>	<b>Catchlines of code sections.</b>
<b>1.04.050</b>	<b>Effect of repeal of ordinances.</b>
<b>1.04.060</b>	<b>Severability of portions of the code.</b>

#### **1.04.010 Name of code for citation—Contents.**

The ordinances embraced in the following chapters and sections shall constitute and be designated as “The Code of the Metropolitan Government of Nashville and Davidson County, Tennessee,” and may be so cited. The code may also be cited as “Metropolitan Code.” (Prior code § 1-1-1)

#### **1.04.020 Definitions and rules of construction.**

In the construction of this code and of all other ordinances applicable within the metropolitan government area, the following definitions and rules of construction shall be observed, unless inconsistent with the manifest intent of the metropolitan council or the context clearly requires otherwise:

##### **A. Definitions.**

“Council” and “metropolitan council” means the council of the metropolitan government of Nashville and Davidson County.

“General services district” means the general services district of the metropolitan government, established by Section 1.03 of the Metropolitan charter and described in Appendix One of the Metropolitan Charter.

“Metropolitan government” means the metropolitan government of Nashville and Davidson County.

“Metropolitan government area” means the area included within the boundaries of the metropolitan government of Nashville and Davidson County, as described in Appendix One of the Metropolitan Charter.

“Month” means a calendar month.

“Oath” means and shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed.”

“Owner,” applied to building or land, means and includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land.

“Person” means and includes a corporation, firm, partnership, association, organization and any other group acting as a unit, as well as an individual.

“Personal property” means and includes money, goods, chattels, things in action and evidences of debt.

“Preceding” and “following” means next before and next after, respectively.

“Property” means and includes real and personal property.

“Real estate” and “real property” mean and include lands, tenements and heritaments, and all rights thereto and interests therein, equitable as well as legal.

“Shall” and “May.” The word “shall” is mandatory, the word “may” is permissive.

“Sidewalk” means any portion of a street between the curbline and the adjacent property line, intended for the use of pedestrians.

“Signature” or “subscription” means and includes a mark, when the person cannot write, the name being written near the mark and witnessed.

“State” means and shall be construed as if the words “of Tennessee” followed it.

“Street” means and includes any public way, road, highway, street, avenue, boulevard, parkway, alley, lane, viaduct, bridge, and the approaches thereto, within the metropolitan government area.

“Tenant” or “occupant,” applied to a building or land, means and includes any person who occupies the land, means and includes any person who occupies the whole or a part of such building or land, whether alone or with others.

“Urban services district” means the urban services district of the metropolitan government, established by Section 1.03 of the Metropolitan Charter, and described in Appendix One of the Metropolitan Charter.

“Writing” and “written” mean and include printing and any other mode of representing words and letters.

“Year” means a calendar year, unless otherwise expressed or another intent is obvious from the context.

**B. Rules of Construction.**

1. Bonds. When a bond is required, an undertaking in writing shall be sufficient.

2. Certified Mail. Certified mail may be used instead of registered mail whenever this code or any other ordinance requires a notice to be given by registered mail.

3. Computation of Time. The time within which any act is to be done shall be computed by excluding the first and including the last day, unless the last day is a Saturday, a Sunday or a legal holiday, and then it shall also be excluded.

4. Gender. Words importing the masculine gender shall include the feminine and neuter.

5. Joint Authority. All words giving joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers, unless otherwise provided.

6. Number. Words used in the singular include the plural and the plural includes the singular number.

7. Officers, Departments and Agencies. The words “metropolitan clerk,” “Chief of police,” or any other named officer, department or agency, unless otherwise indicated, shall be construed to mean the clerk, chief of police or other officer, department or agency of the metropolitan government of Nashville and Davidson County.

8. Time. Words used in the past or present tense include the future as well as the past and present. (Prior code § 1-1-2)

**1.04.030 Provisions considered continuations of existing ordinances and earlier codes.**

The provisions appearing in this code, so far as they are in substance the same as those of ordinances of the metropolitan government, or of the former city of Nashville, or provisions of the 1960 Code of the former city of Nashville, or resolutions of the quarterly county court of former Davidson County, existing at the time of the effective date of this code, shall be considered as continuations thereof and not as new enactments. (Prior code § 1-1-4)

**1.04.040 Catchlines of code sections.**

The catchlines of the several sections of this code, printed in boldface type, are intended as mere catchwords to indicate the contents of the section, and shall not be deemed or taken to be titles of such sections, nor as any part of the section, nor, unless expressly so provided, shall they be so deemed when any of such sections, including

the catchlines, are amended or reenacted. (Prior code § 1-1-3)

**1.04.050 Effect of repeal of ordinances.**

A. The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect.

B. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for any offense committed under the ordinance repealed. (Prior code § 1-1-5)

**1.04.060 Severability of portions of the code.**

It is declared to be the intention of the metropolitan council that the sections, paragraphs, sentences, clauses and words of this code are severable, and if any word, clause, sentence, paragraph or section of this code shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining words, clauses, sentences, paragraphs and sections of this code since the same would have been enacted by the metropolitan council without the incorporation in this code of any such unconstitutional or invalid word, clause, sentence, paragraph or section. (Prior code § 1-1-6)

**Chapter 1.08**

**CIVIL DISTRICTS**

**Sections:**

- 1.08.010 First civil district designated—Boundaries.**
- 1.08.020 Second civil district designated—Boundaries.**
- 1.08.030 Map of district boundaries.**

**1.08.010 First civil district designated—Boundaries.**

The area embraced in the urban services district of the metropolitan government is designated as the first civil district of the metropolitan government. The boundaries of the first civil district, being the same as the urban services district, are fully described in Appendix One of the Metropolitan Charter. (Prior code § 1-1-9)

**1.08.020 Second civil district designated—Boundaries.**

The area of the metropolitan government, other than the urban services district, is designated as the second civil district, and the second civil district is described as that portion of the metropolitan government which is outside of the first civil district. (Prior code § 1-1-10)

**1.08.030 Map of district boundaries.**

A map of the metropolitan government, whose boundaries are the same as the boundaries of former Davidson County, is attached to the original copy of Ordinance 64-287 codified in this section, as Exhibit A, and made a part hereof, the same as though copies herein, which map has the first and second civil districts of the metropolitan government exhibited as described in Sections 1.08.010 and 1.08.020 of this chapter, and such map, with the civil districts exhibited thereon, shall be recorded in a book to be kept in the office of the county court clerk for this purpose, and also a copy shall be kept in the office of the metropolitan clerk. The metropolitan clerk shall cause a copy of such map to be forwarded to the secretary of state in accordance with Tennessee Code Annotated, Section 5-110. (Prior code § 1-1-11)

**Chapter 1.12**

**ELECTIONS**

**Sections:**

- 1.12.010 Polling place defined.**
- 1.12.020 Posting of political signs—On telephone or light poles.**
- 1.12.030 Posting of political signs—Near polling places.**
- 1.12.040 Distributing literature near polling places.**
- 1.12.050 Restrictions on persons in or near polling places.**
- 1.12.060 Soliciting votes near polling places.**

**1.12.010 Polling place defined.**

For the purposes of this chapter, a “polling place” means and is designated as the building or structure in which the voting machine is located. (Prior code § 13-1-1)

**1.12.020 Posting of political signs—On telephone or light poles.**

It is unlawful for any person to post, affix or display any posters, signs or pictures advertising the candidacy of

anyone for public office on any telephone or light poles within the general services district. (Prior code § 13-1-5)

**1.12.030      Posting of political signs—Near polling places.**

It is unlawful for any person to post, affix or display any poster, signs or pictures advertising the candidacy of anyone for public office on any polling place or within two hundred feet thereof. (Prior code § 13-1-6)

**1.12.040      Distributing literature near polling places.**

It is unlawful for any candidate or any other person supporting any candidate or group of candidates for public office at an election, either primary, general or special, within the general services district, to hand out cards, handbills, literature, etc., on election days within two hundred feet of the entrance to any of the regularly designated polling places. (Prior code § 13-1-3)

**1.12.050      Restrictions on persons in or near polling places.**

No person, except officials of the election, legal watchers and metropolitan police officers on duty, shall be allowed to remain about a polling place except for such period of time as may be necessary for such person to vote. No police officer shall enter the room where the voting machines are located except at the request of the officer of the election, and then only for the purpose of preserving order. (Prior code § 13-1-7)

**1.12.060      Soliciting votes near polling places.**

It is unlawful for any candidate or any other person to solicit, within two hundred feet of the entrance to any polling place, any person qualified to vote in any election at the time and during the hours for holding an election, to vote for any person for any office involved in such election. (Prior code § 13-1-4)

**Chapter 1.16**

**METROPOLITAN JAIL AND WORKHOUSE**

**Sections:**

- 1.16.010      Consolidation of metropolitan and urban jails and workhouses.**
- 1.16.020      Sheriff's authority.**
- 1.16.030      Personnel needs and appropriations.**

**1.16.040      Prisoner incarceration procedures—Disposition of prisoner property.**

**1.16.050      Custody and interrogation of prisoners.**

**1.16.060      Refusal of prisoners to work.**

**1.16.070      Escapes by prisoners.**

**1.16.080      Fee for inmate's personal items.**

**1.16.010      Consolidation of metropolitan and urban jails and workhouses.**

The urban jail is hereby consolidated with the metropolitan jail, and the urban workhouse is consolidated with the metropolitan workhouse. The consolidated jail shall be known as the metropolitan jail, and the consolidated workhouse shall be known as the metropolitan workhouse. (Prior code § 12-1-4)

**1.16.020      Sheriff's authority.**

The metropolitan jail and the metropolitan workhouse shall be under the custody and control of the sheriff. (Prior code § 12-1-5)

**1.16.030      Personnel needs and appropriations.**

The mayor shall determine the personnel needs of the consolidated jail and the consolidated workhouse, and is authorized to make such transfers of personnel from one department to another as the circumstances may require, subject to the provisions of Section 20.06 of the Metropolitan Charter. The appropriations for the pay of such personnel shall be transferred with the personnel to which such appropriations apply. (Prior code § 12-1-6)

**1.16.040      Prisoner incarceration procedures—Disposition of prisoner property.**

When an offender is to be incarcerated in the metropolitan jail, he shall be booked and fingerprinted by the police department, and when the police department has obtained all the information necessary for record purposes, the prisoner, along with the possessions found on his person, shall be delivered to the custody of the sheriff or his designated representative for incarceration in accordance with the procedures and in the manner prescribed by law; provided, that the police department may retain in its custody such property taken from the offender as may be required for evidence to support the charge placed against the offender, or such other property concerning which there is reasonable grounds to believe possession by the offender is unlawful. The police department shall turn over to the sheriff or his designated deputy a list of all property taken from each offender and retained by the police department. (Prior code § 12-1-7)

## Chapter 1.20

### **1.16.050 Custody and interrogation of prisoners.**

The sheriff shall retain custody of every prisoner confined in the metropolitan jail or the metropolitan workhouse until such time as the release of the prisoner has been directed by lawful authority. The sheriff shall permit the interrogation of prisoners by authorized personnel of the police department. (Prior code § 12-1-8)

### **1.16.060 Refusal of prisoners to work.**

Any person confined in the metropolitan jail or workhouse by virtue of any sentence of any court of competent jurisdiction and refusing to work shall be examined by the chief medical director of the metropolitan government or his authorized representative, and upon certification by the chief medical director of his ability to perform the duties assigned to him shall be confined in the cell of the metropolitan workhouse or jail, and time so spent in confinement shall not be credited as part of his sentence. (Prior code § 12-1-10)

### **1.16.070 Escapes by prisoners.**

Any inmate of the metropolitan jail or workhouse who shall escape therefrom shall be liable not only for confinement for the period remaining unexpired of his original sentence, but shall also be guilty of a misdemeanor. (Prior code § 12-1-9)

### **1.16.080 Fee for inmate's personal items.**

A. The metropolitan jail or workhouse administrator shall charge inmates a fee for items issued to them upon admission to the county jail or workhouse. This fee may not exceed the actual cost of the items issued. This county jail or workhouse administrator may deduct the amount owed from the inmate's jail trust account or any other account of fund established by or for the benefit of the inmate.

B. The metropolitan jail or workhouse may not deny an inmate clothing or hygiene items if the inmate is unable to pay for them. An inmate's inability to pay shall be determined based on the policies and procedures of the Davidson County sheriff's office. (Ord. BL99-51 § 1, 1999)

## **REGISTRATION OF CONVICTS**

### **Sections:**

- 1.20.010 Registration of certain persons required when—Information required.**
- 1.20.020 Change of address—Notification requirements.**
- 1.20.030 Failing or refusing to register—Giving false information.**
- 1.20.040 Restoration of citizenship.**

### **1.20.010 Registration of certain persons required when—Information required.**

A. Every person who has been convicted or who may hereafter be convicted in any federal court or the court of any state of the crime of counterfeiting, grand larceny, embezzlement, forgery, obtaining money or property by false pretenses, burglary, felonious assault, robbery, arson, murder, rape, kidnapping, extortion, violation of any law prohibiting the carrying of deadly or concealed weapons, or violations of any provision of any national or state law relating to the possession, sale or transportation of any narcotics, or has been convicted of attempting any one or more of such offenses, who resides in or who comes into Davidson County from any point outside Davidson county, whether in transit through the county or otherwise, shall report to the chief of police within forty-eight hours after his arrival within the county, and shall furnish to the chief of police, in a written statement signed by such person:

1. The true name and each other name or alias by which such person is or has been known;
2. A full and complete description of himself;
3. The name of each crime hereinabove in this section enumerated of which he shall have been convicted, together with the name of the place where each such crime was committed;
4. The name under which he was convicted and the date of the conviction itself;
5. The name, if any, and the location of such prison, reformatory or other penal institution in which he shall have been confined as punishment therefor, together with the location or address of his residence, stopping place or living quarters in Davidson County, and each one thereof, if any, or the address or location of his intended residence, stopping place or living quarters therein, and each one thereof, with a description of the character of each such place, whether a hotel, apartment house, dwelling house or otherwise, giving the street number thereof, if any, or such

description of the address or location thereof as will so identify the same as to make it possible of location; and

6. The length of time for which he expects or intends to reside within Davidson County;

provided, that such registration shall not be required of any person who has been released from imprisonment for a period of ten years or more and who has not, subsequent to release, been convicted of the violation of any law of the United States or any state.

B. At the time of furnishing such information, such person may be photographed and fingerprinted by the chief of police and the photograph and fingerprints, if any, shall be made a part of the permanent record herein provided for. (Ord. 90-1339 § 1 (34-3), 1990; prior code § 34-2-6)

#### **1.20.020 Change of address—Notification requirements.**

In the event that any person specified in Section 1.20.010 shall change any such place of residence, stopping place or living quarters to any new or different place within Davidson County other than the place last shown in such report to the chief of police, he shall, within twenty-four hours after the making of such change, notify the chief of police in a written and signed statement of such change of address and shall furnish his new address and each one thereof in such written statement. (Ord. 90-1339 § 1 (34-4), 1990; prior code § 34-2-7)

#### **1.20.030 Failing or refusing to register—Giving false information.**

It is unlawful for any person required by any provision of this chapter to furnish any report or information:

A. To fail, neglect or refuse to make such report, or to furnish such information, photographs or fingerprints, or to fail, neglect or refuse to render or furnish the same within the time prescribed; or

B. To fail, neglect or refuse to furnish to the chief of police within such time any information, photographs or fingerprints required to be furnished by any provision of this chapter; or

C. To furnish any false, untrue or misleading information or statement relating to any information required to be made or furnished by any provision of this chapter. (Prior code § 34-2-8)

#### **1.20.040 Restoration of citizenship.**

Any person whose citizenship has been restored shall be exempted from the provisions of this chapter. (Prior code § 34-2-9)

## **Chapter 1.24**

### **GENERAL PENALTY AND CITATIONS FOR VIOLATIONS**

#### **Sections:**

<b>1.24.020</b>	<b>Summons issuance for sanitation, litter control and animal control violations.</b>
<b>1.24.030</b>	<b>Authority to issue citations—Enforcement procedures—Failure to answer a citation—Penalties.</b>
<b>1.24.040</b>	<b>Failure to pay or secure a fine—Commitment to workhouse.</b>
<b>1.24.050</b>	<b>Expungement of public records regarding violations authorized when.</b>

#### **1.24.020 Summons issuance for sanitation, litter control and animal control violations.**

A. All personnel of the metropolitan department of health who are assigned duties as enforcement officers, verified by job descriptions or otherwise in writing by the director of health in the areas of sanitation, litter control and animal control, and who are not empowered by Section 1.24.030 of this chapter to issue citations, are hereby authorized to issue ordinance summonses as provided by Tennessee Code Annotated, Sections 7-63-201, et seq., to any person they witness being or acting in violation of any ordinance, law or regulation of the metropolitan government. An ordinance summons shall be issued by leaving a copy with the offender, which ordinance summons must show the offense charged, the specific metropolitan code section or regulation involved, and the time and place for the offender to appear in court, and shall bear the signature of the offender evidencing service and agreement to appear in court.

B. The ordinance summons shall be treated by the court in the same manner as a citation in lieu of arrest, as provided in Section 1.01.030 of this code.

C. Should the offender refuse to sign the ordinance summons evidencing agreement to appear in court, the municipal enforcement officer may cause a summons to issue by the clerk of the metropolitan general sessions court, or seek the assistance of a metropolitan police officer or peace officer, who may issue a citation in lieu of arrest pursuant to Section 1.24.030 of this code.

D. Should the offender fail to appear for court after proper issuance and service of an ordinance summons, the metropolitan general sessions court shall issue a warrant



for failure to appear, which shall be a separate offense. (Ord. 95-1329 § 2 (part), 1995; Ord. 89-832 § 1, 1989)

**1.24.030 Authority to issue citations—  
Enforcement procedures—Failure to  
answer a citation—Penalties.**

A. Whenever an employee of the metropolitan government is charged with enforcing a specific law, ordinance or code of the metropolitan government, including but not limited to enforcement personnel of the health department, board of parks and recreation, public works department, codes administration, fire marshal, traffic and parking commission, beer board and taxicab and wrecker licensing board, such employees shall be designated peace officers of the metropolitan government, pursuant to Tennessee Code Annotated, Section 7-63-101, only for purposes of enforcing the particular ordinance for which they are employed; and such employees may issue citations in lieu of arrest warrants for persons found to be violating the ordinances of the metropolitan government.

B. When any person is charged with an ordinance violation in the metropolitan government area and an ordinance citation is issued to such person on such violation, in accordance with Tennessee Code Annotated, Section 7-63-101 et seq., it shall be the duty of the metropolitan court in which such case is set for trial to try the same without the issuance or service of a warrant upon such defendant, provided the defendant has signed a waiver on such citation agreeing to come to court and waiving the issuance and service of a warrant upon him.

C. Whenever a peace officer, pursuant to Tennessee Code Annotated, Section 7-63-101 et seq., issues to a person arrested for the violation of a metropolitan ordinance a citation to appear in court on a date and time specified, in lieu of continued custody and the taking of the arrested person before a judge, that person's failure to appear to answer the citation in court at the specified time shall constitute an additional offense, punishable by a fine of fifty dollars, and the court shall be authorized to issue a bench warrant based upon the person's failure to appear.

D. Any fine imposed under the provisions of this section shall be in addition to any fine imposed for violating any ordinance for which the person was originally cited to appear in court. (Prior code § 12-1-17)

**1.24.040 Failure to pay or secure a fine—  
Commitment to workhouse.**

Upon the failure of any person to pay or secure any fine imposed by a judge of Division I, Division II or Division III of the metropolitan courts, he shall be committed to the metropolitan workhouse and there required to perform such manual labor as may be required of him until such

fine is paid off at the rate provided for county workhouses in Tennessee Code Annotated, Section 41-1223, or any amendments thereto. No prisoner shall be discharged upon the act of insolvency nor before such fine has been worked out, fully paid or secured, or unless he is pardoned or paroled in accordance with the provisions of the Metropolitan Charter. (Prior code § 1-1-8)

**1.24.050 Expungement of public records  
regarding violations authorized  
when.**

A. When a person is charged with the violation of a metropolitan ordinance and it is determined not to prosecute the charge, or the charge is dismissed, either in the metropolitan general sessions court or on appeal, the court having jurisdiction of such previous action, upon petition of such person, may order that all public records concerning same shall be expunged.

B. The clerk of the court where such public records are recorded shall remove and expunge such public records within a period of sixty days from the entering of the expungement order. (Prior code § 29-1-16.1)